

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 1-18 are pending in this application. Claims 3, 6, 9, 12, 15, and 18 were objected to for informalities. Claims 1, 2, 4, 5, 7, 8, 10, 11, 13, 14, 16, and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. patent application publication 2001/0042093 A1 to Shirai et al. (herein "Shirai") in view of U.S. patent 5,995,936 to Brais et al. (herein "Brais"). Claims 3, 6, 9, 12, 15, and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Shirai in view of Brais and further in view of U.S. patent application publication 2003/0115277 A1 to Watanabe et al. (herein "Watanabe").

Addressing first the objection to claims 3, 6, 9, 12, 15, and 18, those claims are amended by the present response to address the objections thereto. Further, claim 1 is amended by the present response to correct a minor informality. The claim amendments are believed to address the noted objections.

Addressing now the above-noted prior art rejections, those rejections are traversed by the present response.

According to features set forth in the claims, a camera takes a picture and at least one of words or sentences with that picture can be input and then stored in a memory with the picture information as a file of the picture, the at least one of words or sentences being stored at a predetermined position in the file of the picture. As a non-limiting example, the above-noted feature can be directed to associating a picture to be part of an e-mail with associated text, for example describing the picture, also desired to be part of the e-mail. Such a single file combining the picture and the at least one of words or sentences is saved. Also, as set forth in the pending claims, when the saved file is selected transmission information, for example the specific e-mail transmission file, is also created. The above-noted features are believed to clearly distinguish over the applied art.

With the above-noted features a specific operation can change a camera from a first state to a second state, and when that operation is in the second state words and/or sentences corresponding to a recognized voice are generated. At least one of the words or sentences can then also be stored in a memory, as discussed in further detail below. Such features recited in the claims are believed to clearly distinguish over the applied art.

First, applicants submit the prior art fails to teach or suggest the claimed feature that “wherein said transmission information is created wherein said predetermined file is selected in a batch operation when said second predetermined operation is executed”, as specifically required in independent claim 1, and as similarly recited in the other independent claims. According to such a feature as set forth in the claims, when a saved file is selected in a batch operation transmission information, for example the specific e-mail transmission file, is created. Such features are believed to clearly distinguish over the applied art.

With respect to the above-noted claim features, the outstanding rejection cites Shirai in paragraph [0116] on page 6.<sup>1</sup> However, applicants submit Shirai does not disclose the above-note features.

In the noted portion at paragraph [0116] Shirai discloses that mail destinations can be determined by referring to an access list, and that specifically a mail tool 302 can extract users who can access a designated file by referring to an access list 301g.

In contrast to Shirai, the noted “second predetermined operation” being executed causes the creation of the transmission information. Further, that second predetermined operation is “selecting a file of said picture and said at least one of words or sentences from said memory means”. Thus, in Claim 1 when the file of the picture and the at least one or words or sentences is selected from the memory, that causes a creation of the transmission

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<sup>1</sup> Office Action of December 6, 2004, page 3, lines 7-11 of prenumbered paragraph 6.

information. That is not the case in Shirai. In Shirai a transmission target file being designated generates a mail access list, which differs from the above-noted claim features.

Further, applicants respectfully submit the applied art does not fully teach the claimed “memory means” for example as recited in independent claim 1. Specifically, independent claim 1 recites:

a memory means for storing said picture and said at least one of words or sentences as a file of said picture, said at least one of words or sentences being stored at a predetermined position in the file of said picture.

The other independent claims recite a similar limitation. As a non-limiting example, in the claimed invention a voice command can be attached to a picture file, for example can be attached to a predetermined position in a header of a still-picture file. Such a type of operation is believed to distinguish over the applied art.

With respect to the above-noted feature, the outstanding office action cites the teachings in Brais at col. 5, lines 20-29, col. 6, lines 3-5, col. 11, lines 15-35 and 42-45, and col. 13, lines 8-34.<sup>2</sup> However, applicants respectfully submit such teachings in Brais do not correspond to the claimed feature.

At col. 5, lines 28-29, Brais merely discloses storing text, speech, and the digital electronic form of images. At col. 6, lines 3-5, Brais merely discloses that the text and digitized images are stored within a database wherein images have associated annotations in the form of text, audio clips, or images. Further, at col. 11, lines 15-35 and 42-44, Brais discloses dictation mode commands such that formatting information can be stored within a text file, and the formatting commands can specify the type of report or database to create using a text file, a voice input file, and required image files.

At col. 13, lines 8-34, Brais provides details as to how an image or a series of image and related data is stored in a memory. Brais specifically discloses storing data with

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<sup>2</sup> Office Action of December 6, 2004, page 4, second paragraph.

identifiers, and the "identifiers comprise data necessary for retrieving and inserting the information. The necessary data comprises a source for the identified item for insertion, a location where the item is to be inserted and format information for the item".<sup>3</sup>

Thus, in Brais at most image data is stored with an identifier that can retrieve other information.

In contrast to Brais, in the claims as currently written, at least one of words or sentences are stored at a predetermined position in the file of the picture. Storing identifiers as in Brais does not correspond to storing the actual at least one of the words or sentences as in the claims.

In view of these foregoing comments, applicants submit the claims distinguish over Shirai in view of Brais.

Moreover, no teachings in the further cited art to Watanabe can overcome the above-noted deficiencies of Shirai in view of Brais.

In view of these foregoing comments, applicants respectfully submit the claims as currently written distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

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<sup>3</sup> Brais at col. 13, lines 17-21.